

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

R N D PRODUCTIONS, INC.,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. H-13-01751
	§	
ANDREW SEELEY and	§	
WALT DISNEY COMPANY	§	
	§	
Defendants.	§	

FINAL JUDGMENT

On January 31, 2014, this court held a hearing at which counsel presented argument on the motion to dismiss filed by Walt Disney Company for lack of personal jurisdiction and failure to state a claim, (Docket Entry No. 20), and Andrew Seeley's motion to dismiss for failure to state a claim, (Docket Entry No. 21). The court granted both motions from the bench, finding that the Walt Disney entity sued was not subject to personal jurisdiction in Texas and that limitations barred the claims asserted. Counsel for the plaintiff stated that he would amend to delete Walt Disney entity sued and instead to name the Texas affiliate. Counsel for the plaintiff also asked for, and received, leave to file an amended pleading or other documents that would overcome the clear limitations bar. The court set a deadline of February 21, 2014 for any amended pleading and supplement to the opposition to the motions to dismiss. No amended pleading or supplement has been filed.

Based on the pleadings, the motions to dismiss and the responses, the arguments of counsel, and the applicable law, this court dismisses this case, with prejudice. The court finds that limitations precludes the relief sought as to both defendants and that this Texas court lacks jurisdiction over the

Walt Disney entity named as one of the defendants. The motions to dismiss are granted, with prejudice.

This is a final judgment.

SIGNED on September 16, 2014, at Houston, Texas.


Lee H. Rosenthal
United States District Judge